



# State of Wisconsin


LEGISLATIVE REFERENCE BUREAU

## **RESEARCH APPENDIX -** **PLEASE DO NOT REMOVE FROM DRAFTING FILE**

Date Transfer Requested: 09/19/2007 (Per: ARG)





### Appendix A

 The 2007 drafting file for LRBa0727/1

has been copied/added to the drafting file for

**2007 LRBa0729**

 The attached 2007 draft was incorporated into the new 2007 draft listed above. For research purposes, this cover sheet and the attached drafting file were copied, and added, as a appendix, to the new 2007 drafting file. If introduced this section will be scanned and added, as a separate appendix, to the electronic drafting file folder.

 This cover sheet was added to rear of the original 2007 drafting file. The drafting file was then returned, intact, to its folder and filed.

**2007 DRAFTING REQUEST****Assembly Amendment (AA-AB339)**Received: **09/19/2007**Received By: **agary**Wanted: **Today**

Identical to LRB:

For: **Dale Schultz (608) 266-0703**By/Representing: **Tom Jackson**This file may be shown to any legislator: **NO**Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Transportation - motor vehicles**

Extra Copies:

Submit via email: **YES**Requester's email: **Sen.Schultz@legis.wisconsin.gov**Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Definition of neighborhood electric vehicle

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	agary 09/19/2007	jdye 09/19/2007	nnatzke 09/19/2007	_____	cdurst 09/19/2007	cdurst 09/19/2007	

FE Sent For:

&lt;END&gt;

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Wanted: Today

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For: Dale Schultz (608) 266-0703

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/1	agary	1/8 jld	nwn 9/19	nwn/ 9/19			

FE Sent For:

&lt;END&gt;

**Gary, Aaron**

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**From:** Gary, Aaron  
**Sent:** Monday, September 17, 2007 2:27 PM  
**To:** Jackson, Tom  
**Cc:** Simatic, Kurt  
**Subject:** RE: Low Speed Vehicles vs NEV

Yes, that's true. Looking at p. 4, lines 6-8 of AB-339, we could retain the term NEV, eliminate the America test program language, and replace this language so that the statute reads "... motor vehicle *that is propelled by electric power* and that conforms ...." [italicized language would be added].

Aaron

Aaron R. Gary  
Legislative Attorney  
Legislative Reference Bureau  
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608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Jackson, Tom  
**Sent:** Monday, September 17, 2007 1:52 PM  
**To:** Gary, Aaron  
**Cc:** Simatic, Kurt  
**Subject:** Low Speed Vehicles vs NEV

Wouldn't that expand the universe to include other forms of propulsion than electric only?

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On 17 Sep, Aaron Gary wrote to Tom Jackson, cc: Simatic, Kurt re NEV trailer bill - alternative to America Test provision Sep07

FYI, DOT would support taking out the America test program language. In doing so, it would make more sense to call these vehicles "low-speed vehicles" (the federal term) than "neighborhood electric vehicles" (a more colloquial or market-based term).

Aaron R. Gary 261.6926, aaron.gary@legis.state.wi.us  
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On 14 Sep, Aaron Gary wrote to Jackson, Tom, cc: Simatic, Kurt re NEV trailer bill - alternative to America Test provision Sep07

I really don't know why the America test program language was included in the bill in 2005. (I think I know the source of the language, but I don't know why it was wanted.) I think it was unnecessary from the beginning. The NHTSA establishes safety standards for vehicles and these standards can be relied upon. I don't know of any reason why there should be additional standards or testing on top of the

09/19/2007

NHTSA standards, which are already built into the statute. Accordingly, I think that you can simply eliminate the American test program language. The remainder of the provision would then incorporate the NHTSA safety standards, and the provision would read as follows:

"neighborhood electric vehicle" means a self-propelled motor vehicle that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for low-speed vehicles under 49 CFR 571.3 (b) and 571.500. ....

(My understanding is that NEV and low-speed vehicle, as federally defined, are synonymous.)

I doubt that DOT would have a problem with this change because they didn't recommend the language at issue in the first place. But I recommend double-checking and I would be happy to do so if the language above is satisfactory to you. Let me know. Thanks. Aaron

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On 14 Sep, Tom Jackson wrote to Aaron Gary, cc: Simatic, Kurt re NEV trailer bill - alternative to America Test provision Sep07:

It recently came to our attention that, apparently, of the universe of NEV manufacturers, a rather small minority have obtained America Test status for NEV models they make. This first came to light after a Wisconsin resident informed us they had bought an NEV and then discovered it was not America Test approved so not legal in WI. Please email Simatic and me an alternative idea to define an NEV that would provide some standard for safety (NHTSA definition or whatever). We would be interested in any reasonable alternatives to America Test should you find more than one. You can contact DOT or other sources. If Kurt or I can assist, please be in touch. Please email Kurt and me your estimate on a timeframe for this request.

**Gary, Aaron**

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**From:** Gary, Aaron  
**Sent:** Wednesday, September 19, 2007 9:00 AM  
**To:** Jackson, Tom  
**Cc:** Simatic, Kurt  
**Subject:** RE: NEV request draft that deletes America Test

Hi Tom,

I'll draft the amendment today.

In response to your questions, I don't believe such an amendment would result in any diminishment of safety standards or reduction of federal funds to WI and I'm not aware of any other downside. I believe this is primarily a marketplace issue not a safety issue - these changes will allow the NEVs of more manufacturers to be legally operated in WI and therefore promote marketplace competition in the state.

Aaron

Aaron R. Gary  
*Legislative Attorney*  
*Legislative Reference Bureau*  
608.261.6926 (voice)  
608.264.6948 (fax)  
aaron.gary@legis.state.wi.us

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**From:** Jackson, Tom  
**Sent:** Tuesday, September 18, 2007 11:02 PM  
**To:** Gary, Aaron  
**Cc:** Simatic, Kurt  
**Subject:** NEV request draft that deletes America Test

Aaron -

Senator Schultz and Representative Albers request your help by identifying any possible downside from eliminating the America Test requirement.

- Could it result in diminishment of safety standard for NEVs on WI roads?
- Could it conceivably lead U.S. DOT to threaten to reduce any federal transportation funds going to WI?
- Any other negative you can think of?

Per your earlier email, please email Kurt Simatic and me a draft for legislators to consider for a floor amendment to drop the American Test while still having a standard definition for NEV that includes safety standards.

Thank you.  
- Tom Jackson

09/19/2007

2007 - 2008 LEGISLATURE

LRBa0727/1

ARG:.....

TODAY

in 9/19

jld

ASSEMBLY AMENDMENT ,  
TO 2007 ASSEMBLY BILL 339

1 At the locations indicated, amend the bill as follows:

2 1. Page 4, line 6: delete the material beginning with "has" and ending with

3 "energy;" on line 8 and substitute: "has successfully completed the neighborhood

4 electric vehicle America test program conducted by the federal department of energy,

5 is propelled by electric power.

6 (END)



State of Wisconsin  
2007 - 2008 LEGISLATURE

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ARG-jld:nwn

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